

### REMARKS

In the January 23, 2008, Office Action, the Examiner:

- a. objected to claims 16 and 19 under 37 CFR 1.75(c);
- b. objected to claim 22 as being unclear;
- c. rejected 15-18 and 25 under 35 U.S.C. 102(b) as being anticipated by Abbot, USP5,618,177;
- d. rejected 15-17 and 25 under 35 U.S.C. 102(b) as being anticipated by Beck, USP2,246,497;
- e. rejected 15, 16, 25 and 26 under 35 U.S.C. 102(b) as being anticipated by Dumbaugh, USP3,257,040;
- f. rejected 15, 16, 25 and 26 under 35 U.S.C. 102(b) as being anticipated by Gibot, USP4,707,951;
- g. rejected 15-17, 19-21 and 24 on the ground of nonstatutory double patenting over claims 1-9 of USP6,726,549;
- h. rejected 15-17, 19-21 and 24 on the ground of nonstatutory double patenting over claims 1-7 of USP6,524,172; and
- i. objected to claims 22, 23, 27 and 28 as being dependent upon a rejected base claim, indicating the claims would be allowable if the limitations of either claim 22 or 27 are rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, Applicants have amended claim 15 to include the limitation from claim 20 of an impulse assembly.

Applicants have cancelled claim 16, obviating the objection thereto.

Applicants respectfully request reconsideration of the objection to claim 19. Claim 19 recites that the apparatus is configured to introduce said particles into the flow of transport gas. This limitation is not found in claim 15.

Applicants have also amended claim 22 to recite "at least one member"; obviating that objection.


Accompanying this Amendment and Response are Terminal Disclaimers with respect to USP6,726,549 and USP6,524,172.

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Applicants submit that claim 15 is allowable as amended. All claims which depend therefrom are allowable. Applicants request that the claims be allowed. The Examiner is invited to contact the undersign by telephone or by email at [eacheson@fbtlaw.com](mailto:eacheson@fbtlaw.com) if there are any remaining issues.

Respectfully submitted,

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Box Non-Fee Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, this 23rd day of July, 2008.

  
Edwin R. Acheson, Jr.